

EXHIBIT 13

Subject: Re: Wishart v. Welkley et al.

Date: Friday, May 14, 2021 at 10:42:26 AM Eastern Daylight Time

From: Deutsch, Hillel

To: Joshua S. Moskowitz

CC: rob

Fair enough. I have left a vm with Mr. Swiatowy.

From: Joshua S. Moskowitz <josh@moskovitzlaw.com>

Sent: Friday, May 14, 2021 9:24 AM

To: Deutsch, Hillel <Hillel.Deutsch@ag.ny.gov>

Cc: rob <rob@ricknerpllc.com>

Subject: Re: Wishart v. Welkley et al.

Hillel,

We understand and appreciate the need to take a vacation from work. However, the issue with Mr. Swiatowy's ESI sources, and his iPhone 7 in particular, is a pressing matter that needs to be resolved before there is any more opportunity for further spoliation. A phone call or email to Mr. Swiatowy should take care of that. We will wait to write to the Court if you make your best effort to do that while you are on vacation. If we haven't received confirmation by next Thursday that Mr. Swiatowy has scheduled his ESI collection and shipped his iPhone 7 to 4Discovery, we will ask the Court for appropriate relief.

Joshua S. Moskowitz

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From: "Deutsch, Hillel" <Hillel.Deutsch@ag.ny.gov>

Date: Friday, May 14, 2021 at 9:36 AM

To: "Joshua S. Moskowitz" <josh@moskovitzlaw.com>

Subject: RE: Wishart v. Welkley et al.

I am out of the office on a preset vacation and will be returning on Wednesday. I will address any issues when I return.

Hillel Deutsch

NYS Assistant Attorney General

144 Exchange Blv. Rochester, NY 14614

(585) 546-7430

From: Joshua S. Moskowitz <josh@moskovitzlaw.com>

Sent: Thursday, May 13, 2021 6:27 PM
To: Deutsch, Hillel <Hillel.Deutsch@ag.ny.gov>
Subject: Wishart v. Welkley et al.

[EXTERNAL]

Hillel,

Please see the attached correspondence.

Joshua S. Moskowitz

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